

SENATE BILL 386

A1

2lr2130
CF HB 717

By: **Senator Pipkin**

Introduced and read first time: February 1, 2012

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 25, 2012

CHAPTER _____

1 AN ACT concerning

2 **Queen Anne's County Alcoholic Beverages – Distilleries – Tours, Samples,**
3 **and Sales**

4 FOR the purpose of expanding in Queen Anne's County the privileges of a distillery
5 license so that the holder of the license may conduct guided tours of the licensed
6 premises, serve not more than a certain number of samples of products
7 manufactured at the licensed premises, sell certain foods and beverages, sell
8 products manufactured on the licensed premises for consumption off the
9 licensed premises, and sell related merchandise; specifying that a caterer in the
10 County is not limited to selling or serving certain foods; prohibiting a license
11 holder or entity in which a license holder has a pecuniary interest from acting
12 as a caterer of food in the County; specifying the times when certain activities
13 may be conducted; providing that a Class 1 manufacturer's license allows the
14 holder to operate a certain number of days a week in the County; requiring a
15 license holder to file with the Comptroller a notice of a promotional event at
16 least a certain time before the event is held in the County; prohibiting a license
17 holder in the County from selling or allowing to be consumed at the licensed
18 premises certain products; providing that this Act does not limit the application
19 of certain laws and regulations; and generally relating to the privileges of
20 alcoholic beverages and distillery licenses in Queen Anne's County.

21 BY repealing and reenacting, with amendments,
22 Article 2B – Alcoholic Beverages
23 Section 2–202
24 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2011 Replacement Volume)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
3 MARYLAND, That the Laws of Maryland read as follows:

4 **Article 2B – Alcoholic Beverages**

5 2–202.

6 **(A)** A Class 1 manufacturer’s license:

7 (1) Is a distillery license;

8 (2) Authorizes the:

9 (i) Establishment and operation in this State of a plant for
10 distilling brandy, rum, whiskey, alcohol and neutral spirits;

11 (ii) Sale and delivery of those alcoholic beverages in bulk to
12 persons authorized in this State to acquire them; and

13 (iii) Sale and delivery of those alcoholic beverages to persons
14 located outside this State;

15 (3) Shall be obtained for each trade name and for each distillery in
16 this State;

17 (4) Permits a distiller to manufacture alcoholic beverages in the name
18 of another person or under a trade name, provided a distillery license has been issued
19 to that other person or under that trade name, as the case may be; ~~and~~

20 (5) Permits the holder of [such a] **THE** license to acquire bulk alcoholic
21 beverages from the holder of a distillery, rectifying, or winery license in this State or
22 from the holder of a nonresident dealer’s permit; ~~AND.~~

23 ~~(6) PERMITS~~

24 **(B) (1) THIS SUBSECTION APPLIES ONLY IN QUEEN ANNE’S COUNTY.**

25 **(2) A CLASS 1 MANUFACTURER’S LICENSE PERMITS THE HOLDER**
26 **OF THE LICENSE TO:**

27 **(I) CONDUCT GUIDED TOURS OF THE LICENSED PREMISES;**

28 **(II) SERVE NOT MORE THAN THREE SAMPLES OF PRODUCTS**
29 **MANUFACTURED AT THE LICENSED PREMISES, WITH EACH SAMPLE CONSISTING**

1 OF NOT MORE THAN ONE-HALF OUNCE FROM A SINGLE PRODUCT, TO PERSONS
2 WHO HAVE ATTAINED THE LEGAL DRINKING AGE AND PARTICIPATED IN A
3 GUIDED TOUR OF THE LICENSED PREMISES;

4 (III) SELL OR SERVE:

- 5 1. NONALCOHOLIC BEVERAGES;
- 6 2. BREAD AND OTHER BAKED GOODS;
- 7 3. CHILI;
- 8 4. CHOCOLATE;
- 9 5. CRACKERS;
- 10 6. CURED MEAT;
- 11 7. FRUITS (WHOLE AND CUT);
- 12 8. SALADS AND VEGETABLES (WHOLE AND CUT);
- 13 9. HARD AND SOFT CHEESE (WHOLE AND CUT);
- 14 10. ICE CREAM;
- 15 11. JELLY AND JAM;
- 16 12. VINEGAR;
- 17 13. PIZZA;
- 18 14. PREPACKAGED SANDWICHES AND OTHER
19 PREPACKAGED FOODS READY TO BE EATEN;
- 20 15. SOUP; AND
- 21 16. CONDIMENTS; AND

22 (IV) SELL NOT MORE THAN THREE 750-MILLILITER
23 BOTTLES OF PRODUCTS MANUFACTURED ON THE LICENSED PREMISES, FOR
24 CONSUMPTION OFF THE LICENSED PREMISES, AND RELATED MERCHANDISE TO
25 PERSONS WHO HAVE ATTAINED THE LEGAL DRINKING AGE AND PARTICIPATED
26 IN A GUIDED TOUR OF THE LICENSED PREMISES.

1 **(3) A CATERER IS NOT LIMITED TO SELLING OR SERVING ONLY**
2 **THE FOODS SPECIFIED IN SUBSECTION (A)(6)(III) OF THIS SECTION.**

3 **(4) A HOLDER OF A CLASS 1 MANUFACTURER'S LICENSE OR**
4 **ENTITY IN WHICH A HOLDER HAS A PECUNIARY INTEREST MAY NOT ACT AS A**
5 **CATERER OF FOOD.**

6 **(5) A LICENSE HOLDER MAY CONDUCT THE ACTIVITIES**
7 **SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION:**

8 **(I) FOR CONSUMPTION OFF THE LICENSED PREMISES OF**
9 **PRODUCTS MANUFACTURED AT THE LICENSED PREMISES AND FOR SAMPLING,**
10 **EACH DAY FROM 10 A.M. TO 10 P.M.; AND**

11 **(II) FOR CONSUMPTION ON THE LICENSED PREMISES OF**
12 **PRODUCTS MANUFACTURED AT THE LICENSED PREMISES AND SALES AND**
13 **SERVICE OF FOOD ON THE LICENSED PREMISES:**

14 **1. FROM 10 A.M. TO 6 P.M. EACH DAY; OR**

15 **2. IF GUESTS ARE ATTENDING A PLANNED**
16 **PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY ON THE LICENSED**
17 **PREMISES, FROM 10 A.M. TO 10 P.M. EACH DAY.**

18 **(6) A CLASS 1 MANUFACTURER'S LICENSE ALLOWS THE HOLDER**
19 **TO OPERATE 7 DAYS A WEEK.**

20 **(7) AT LEAST 14 DAYS BEFORE HOLDING A PLANNED**
21 **PROMOTIONAL EVENT AFTER 6 P.M., A LICENSE HOLDER SHALL FILE A NOTICE**
22 **OF THE PROMOTIONAL EVENT WITH THE COMPTROLLER ON THE FORM THAT**
23 **THE COMPTROLLER PROVIDES.**

24 **(8) A LICENSE HOLDER MAY NOT SELL OR ALLOW TO BE**
25 **CONSUMED AT THE LICENSED PREMISES ANY PRODUCT OTHER THAN PRODUCTS**
26 **PRODUCED BY THE LICENSE HOLDER UNDER THE AUTHORITY OF THIS SECTION.**

27 **(9) NOTHING IN THIS SUBSECTION LIMITS THE APPLICATION OF**
28 **RELEVANT PROVISIONS OF TITLE 21 OF THE HEALTH – GENERAL ARTICLE, AND**
29 **REGULATIONS ADOPTED UNDER THAT TITLE, TO A LICENSE HOLDER.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 July 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.